



Legislative Bulletin.....August 3, 2007

Contents:

H.R. 3222 – PART I – Department of Defense Appropriations Act, 2008

H.R. 3222, the Department of Defense Appropriations Act, 2008 (sponsored by Rep. Murtha, D-PA), is scheduled to be considered on the House floor today, Friday, August 3, 2007, **presumably** subject to an open rule ([H. Res. 596](#)), making in order any germane amendment under the five-minute rule. The rule allows one motion to recommit with or without instructions.

The rule waives all points of order against consideration of the bill, except those regarding PAYGO and earmarks, and allows the Chair to postpone consideration of the legislation at any time during its consideration. The rule also waives the no-authorizing-on-appropriations point of order against provisions in the underlying bill.

Reports indicate that the Rules Committee may report a different rule for this bill, structuring and thus limiting amendment debate. The RSC will send an updated Legislative Bulletin, as necessary.

Note: The summaries below are based on RSC staff's review of *actual amendment text*. For a summary of the underlying bill, see a separate RSC document released earlier today.

RSC Staff Contacts: Andy Koenig; andy.koenig@mail.house.gov; 202-226-1760

Amendments Pre-Filed in the Congressional Record

1. Carnahan (D-MO). Decreases funds for DoD's department-wide operations and maintenance budget **by** \$10 million (from \$22.343 billion to \$22.333 billion) and increases funds for DoD Health Program's research and development budget by \$10 million (from \$453 million to \$463 million).

2. Stearns (R-FL). Increases funds for the Air Force's research, development, test, and evaluation budget by \$200 million (from \$26.164 billion to \$26.364 billion) and decreases funds for the National Defense Sealift Fund by \$200 million (from \$2.489 billion to \$2.289 billion). The Sealift program provides construction and conversion of vessels for ocean transportation to DoD.

3. Rogers (R-MI). Prohibits funds from being used for the National Drug Intelligence Center (NDIC). The NDIC was created in the Department of Defense Appropriations Act of 1993 and placed under the direction of the Attorney General in order to "coordinate and consolidate drug intelligence from all national security and law enforcement agencies." According to the sponsor's

office, the NDIC “duplicates the work of the DEA’s El Paso Intelligence Center, which is located at the frontlines of the drug war along the Mexican-American border. It also duplicates work being done by the FBI and other DOJ departments.”

4. Issa (R-CA). Prohibits funds from being used to disclose the aggregate amount of **appropriated** funds for the National Intelligence Program. According to the sponsor’s office, “the budget total for the National Intelligence Program is now authorized to be made public in a provision that was included in the conference report to HR 1.” The amendment would prevent the Intelligence portion of the DoD Appropriations bill to be made public.

5. Davis (R-VA). Requires that “adequate infrastructure” be in place before the Secretary of Defense spends more than \$500,000 on any single DoD relocation into the National Capital Region (Washington, D.C. area). According to the current language, the Secretary may waive the \$500,000 limit on relocation of an organization, unit, activity or function of the DoD only if it is “in the best interest of the government.”

6. Walberg (R-MI). Prohibits funds from being used to award a grant or contract based on the race, ethnicity, or sex of the grant applicant or prospective contractor.

7. Del. Bordallo (D-GU). Inserts clarifying language into section 8071, which requires that alcoholic beverages on military installations be purchased **in** the state where the base is located. The amendment would allow alcoholic beverages purchased on military installations in the District of Columbia to be produced in any U.S. territory. (According to the sponsor’s office, this amendment will not be offered).

8. Rogers (R-MI). Increases funds for the “Former Soviet Union Threat Reduction Account” by \$45 million (from \$398 million to \$443 million) and decreases funds for in the Army’s budget for chemical agents and munitions destruction (from \$1.455 billion to \$1.41 billion). According to the sponsor’s office, “because of the Cooperative Threat Reduction (CTR) program’s success in destroying nuclear and chemical weapons in Russia and former states of the Soviet Union, the program is poised to expand to other parts of the world.” The bill currently directs \$7 million to new CTR program expansion.

9. Sessions (R-TX). Strikes the language in the underlying bill (Section 213) that would prohibit the Administration’s public-private competition initiative for depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles. (otherwise known as “competitive sourcing” or “OMB Circular A-76”).

10. Sessions (R-TX). Strikes the language in the underlying bill (Section 524) that would impose limitations on the Administration’s public-private competition initiative for certain government services (otherwise known as “competitive sourcing” or “OMB Circular A-76”).

11. Moore (D-WI). Increases and then decreases funds for the office of the Department of Defense’s Inspector General by \$500,000. Amendments such as this are often intended to redirect funds within the program. (According to the sponsor’s office, this amendment will not be offered).

12. Moore (D-WI). Increases and then decreases funds for the office of the Department of Defense's defense-wide "Operations and Maintenance" by \$2,000,000. Amendments such as this are often intended to redirect funds within the program. (According to the sponsor's office, this amendment will not be offered).

13. Moore (D-WI). Increases funds for the office of the Department of Defense's department-wide "Operations and Maintenance" by \$2,000,000. Increases and then decreases funds for the office of the DoD's defense-wide "Research, Development, Test and Evaluation" by \$2,000,000. Amendments such as this are often intended to redirect funds within the program. (According to the sponsor's office, this amendment will not be offered).

14. Moore (D-WI). Increases funds for the office of the Department of Defense's defense-wide "Operations and Maintenance" by \$2,000,000 and decreases funds for Department of Defense's defense-wide "Research, Development, Test and Evaluation" by \$2,000,000. Amendments such as this are often intended to redirect funds within the program. (According to the sponsor's office, this amendment will not be offered).

15. Castle (R-DE). Prohibits funds from being used by the Department of Defense to award a contract in an amount greater than \$5,000,000 to any entity that does not have in place an internal ethics compliance program.

16. Castle (R-DE). Inserts language that requires funds made available under title II (regarding Army operation and maintenance) be used to credit members of the Armed Forces one additional day of leave for every month of their most recent deployment. According to the sponsor's office, "under the current Pentagon policies, all members of the Armed Forces, including those serving in the Guard and Reserve, receive 2.5 days of leave time per month - regardless of whether they are deployed in a combat zone or back in the U.S. at their home base." This amendment would extend that leave by one day per month deployed.

17. Campbell (R-CA). Prohibits funds under the "Research, Development, Test and Evaluation" heading from being used for the Swimmer Detection Sonar Network.

18. Campbell (R-CA). Prohibits funds under the "Research, Development, Test and Evaluation" heading from being used for the Paint Shield for Protecting from Microbial Threats.

###